

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 27 FEB 2006

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Applicant's or agent's file reference SITG007	<div style="display: flex; justify-content: space-between;"> FOR FURTHER ACTION See Form PCT/IPEA/416 </div>	
International application No. PCT/CA2004/001933	International filing date (<i>day/month/year</i>) 08 November 2004 (08-11-2004)	Priority date (<i>day/month/year</i>) 06 November 2003 (06-11-2003)
International Patent Classification (IPC) or national classification and IPC IPC: F41B 15/02 (2006.01)		
Applicant SITEMAN, WALTER DENIS		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>22</u> sheets, as follows:</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. 1 and the Supplemental Box.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>		
Date of submission of the demand 07 June 2005 (07-06-2005)	Date of completion of this report 23 February 2006 (23-02-2006)	
Name and mailing address of the IPEA/CA Canadian Intellectual Property Office Place du Portage I, C114 - 1st Floor, Box PCT 50 Victoria Street Gatineau, Quebec K1A 0C9 Facsimile No.: 001(819)953-2476	Authorized officer E.R. Ring (819) 997-2767	

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/CA2004/001933

Box No. I Basis of the report

1. With regard to the language, this report is based on:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rules 12.3(a) and 23.1(b))
 - ☐ publication of the international application (Rule 12.4(a))
 - ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - ☐ pages _____ as originally filed/furnished
 - ☒ pages* 1 to 15 received by this Authority on 08 June 2005 (08-06-005)
 - ☐ pages* _____ received by this Authority on _____
 - ☒ the claims:
 - ☐ pages _____ as originally filed/furnished
 - ☐ pages* _____ as amended (together with any statement) under Article 19
 - ☒ pages* 16 - 18 received by this Authority on 16 January 2006 (16- 01-2006)
 - ☐ pages* _____ received by this Authority on _____
 - ☒ the drawings:
 - ☐ pages _____ as originally filed/furnished
 - ☒ pages* 1/3, 2/3, 3/3 received by this Authority on 08 June 2005 (08-06-2005)
 - ☐ pages* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☒ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☒ the claims, Nos. 5 and 12 as filed
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, Nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/CA2004/001933**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	<u>1 - 10</u>	YES
	Claims	<u>NONE</u>	NO
Inventive step (IS)	Claims	<u>1 - 10</u>	YES
	Claims	<u>NONE</u>	NO
Industrial applicability (IA)	Claims	<u>1 - 10</u>	YES
	Claims	<u>NONE</u>	NO

2. Citations and explanations (Rule 70.7)

D1: US5405134 (Wolfram) 11 April 1995 (11-04-1995)

Wolfram discloses in D1 a security device comprising a handle extending from an adjustable collar with the latter designed to encircle a club or a flashlight. A thumb activated chemical canister is releasably embedded in the handle

NOVELTY:

Claims 1 - 10 are considered novel in accordance with PCT Article 33 (2) in that none of the prior art would lead a person skilled in the art to the device in the same manner as the claims.

INVENTIVE STEP:

Claims 1 - 10 are considered to have an inventive step in accordance with PCT Article 33 (3) in that none of the prior art would lead a person skilled in the art to the invention as described in the claims.

INVENTIVE STEP:

Claims 1 - 10 are considered to have industrial applicable in accordance with PCT Article 33 (4) in that they define subject matter that is useful in a technical sense.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/CA2004/001933

A. CLASSIFICATION OF SUBJECT MATTER

According to International Patent Classification (IPC) or to both national classification and IPC
F41B 15/02

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC: F41B 15/02; US: 222/1, 222/78, 222/113, 222/175, 222/209, 222/372

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
CPC: 273/148

Electronic database(s) consulted during the international search (name of database(s) and, where practicable, search terms used)
Esp@cenet, Delphion

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No(s).
X	US5405134 (Wolfram) 11 April 1995 *col 1; lines 6 - 61; Figs 1 and 2* *cited in the application*	1 - 12
A	CA2324811 (Sawle) 1 May 2002 *whole document*	1 - 12
A	US5197734 (Hideyuki) 30 March 1993 *whole document*	1 - 12
A	US3756467 (Anketell) 4 September 1973 *whole document*	1 - 12

☐ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents :
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubt on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search
08 February 2005 (08-02-2005)

Date of mailing of the international search report
16 March 2005 (16-03-2005)

Name and mailing address of the ISA/CA
Canadian Intellectual Property Office
Place du Portage I, C114 - 1st Floor, Box PCT
50 Victoria Street
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Facsimile No: 001(819)953-2476

INTERNATIONAL SEARCH REPORT

International application No.
PCT/CA2004/001933

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No(s).
A	US6386726 (Macierowski) 14 May 2002 *whole document*	1 - 12

Patent Document Cited in Search Report	Publication Date	Patent Family Member(s)	Publication Date
US5405134	11-04-1995	US5405134 A	11-04-1995
CA2324811	01-05-2002	CA2324811 A1	01-05-2002
US5197734	30-03-1993	AU602454 B2 AU602820 B2 AU3934389 A AU3934489 A CA1315310 C DE68905588D D1 DE68906624D D1 DK410589 A DK410689 A EP0360005 A1 EP0378750 A1 JP1799301C C JP2192119 A US5192075 A US5197734 A	11-10-1990 25-10-1990 26-07-1990 03-05-1990 30-03-1993 29-04-1993 24-06-1993 21-07-1990 23-02-1990 28-03-1990 25-07-1990 12-11-1993 27-07-1990 09-03-1993 30-03-1993
US3756467	04-09-1973	US3756467 A	04-09-1973
US6386726	14-05-2002	US6386726 B1	14-05-2002